

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commissions own motion,)	
to rescind rules governing the regulation of)	Case No. U-18325
residential conservation program standards.)	
_____)	

At the May 11, 2017 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner
Hon. Rachael A. Eubanks, Commissioner

ORDER CLOSING DOCKET

This order announces the rescission of certain administrative rules pertaining to the regulation of residential conservation program standards. Recent energy legislation enacted by the Michigan Legislature, specifically 2016 PA 341, repealed section 460.6c of 1939 PA 3, as amended, on April 20, 2017. Accordingly, Administrative Rules R 460.2401, R 460.2402, R 460.2403, R 460.2404, R 460.2405, R 460.2406, R 460.2407, R 460.2408, R 460.2409, R 460.2410, R 460.2411, R 460.2412, R 460.2413, and R 460.2414 that were promulgated under the authority of Section 460.6c became obsolete.

The Commission initiated rescission of these obsolete rules in this docket under Section 44(1) of the Michigan Administrative Procedures Act, 1969 PA 306, as amended, MCL 24.244(1), which provides a streamlined process for rescinding obsolete rules. Section 44(1) permits obsolete rules to be rescinded without notice to the public or a public hearing.

On March 7, 2017, the Office of Performance and Transformation approved the Commission's request. The Michigan Administrative Code now reflects that R 460.2401, R 460.2402, R 460.2403, R 460.2404, R 460.2405, R 460.2406, R 460.2407, R 460.2408, R 460.2409, R 460.2410, R 460.2411, R 460.2412, R 460.2413, and R 460.2414, have been rescinded.

THEREFORE, IT IS ORDERED that because Michigan Administrative Code, R 460.2401, R 460.2402, R 460.2403, R 460.2404, R 460.2405, R 460.2406, R 460.2407, R 460.2408, R 460.2409, R 460.2410, R 460.2411, R 460.2412, R 460.2413, and R 460.2414 were rescinded effective April 20, 2017, the docket shall be closed.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so by the filing of a claim of appeal in the Michigan Court of Appeals within 30 days of the issuance of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

Norman J. Saari, Commissioner

Rachael A. Eubanks, Commissioner

By its action of May 11, 2017.

Kavita Kale, Executive Secretary